

**S.R. 142** - By Snelson: Memorial resolution for H. L. Hildebrand.

**S.R. 143** - By Snelson: Memorial resolution for Edward Alexander Culbertson.

**S.R. 144** - By Snelson: Memorial resolution for Charles A. Walker, Jr.

#### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 145** - By Clower: Extending congratulations to Teri Parmer.

**S.R. 146** - By Clower: Extending welcome to The Reverend Dean Parmer.

**S.R. 147** - By Clower: Extending congratulations to Deana Parmer.

#### **ADJOURNMENT**

On motion of Senator Moore the Senate at 11:36 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### **APPENDIX**

Sent to Governor

(February 20, 1979)

#### **S.B. 83**

Signed by Governor

(February 20, 1979)

**H.C.R. 19**

**H.C.R. 65**

**H.C.R. 66**

#### **TWENTY-FOURTH DAY**

(Wednesday, February 21, 1979)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Absent-excused: Truan.

A quorum was announced present.

The Very Reverend James M. Sigler, St. John's Episcopal Church, Corsicana, Texas, offered the invocation as follows:

Most gracious Heavenly Father, we come to You this morning seeking Your blessing upon the men and women of the 66th Texas Legislature knowing that without Your aid they can accomplish no worthwhile task. Keep them faithful to the high trust that has been laid upon them. Deliver them from arrogance, corruption and injustice. Deepen in them the zeal for righteousness. Unite them to employ their power and freedom to preserve the people of this state from violence, discord and confusion, and from every evil way. Give them wisdom and reverence so to regulate the resources of nature that no one may suffer from our abuse of them and that generations to come may continue to praise You for Your bounty. Inspire them to cherish and protect each and every human being, especially the young and the old, the poor and the sick, the handicapped and those in prison. Enable them to eliminate poverty, prejudice and oppression that people from different cultures and with differing talents may find with one another the fulfillment of their humanity. Forgive them their mistakes. Guide them to perceive what is right and grant them both the courage to pursue it and the grace to accomplish it that by their vision, foresight and labor this great Lone Star State may shine forth to all the nations of the earth with the brightness and glory of justice, peace and plenty.

Your Kingdom come, Your will be done, through Jesus Christ our Lord. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### **LEAVE OF ABSENCE**

Senator Truan was granted leave of absence for today on account of illness on motion of Senator Doggett.

#### **REPORTS OF STANDING COMMITTEES**

Senator Jones of Taylor submitted the following report for the Committee on Finance:

##### **S.B. 151**

Senator Jones of Harris submitted the following report for the Committee on Administration:

##### **S.C.R. 7**

Senator Farabee submitted the following report for the Committee on Jurisprudence:

##### **S.B. 511**

##### **S.B. 462**

##### **S.B. 220**

##### **S.B. 255**

##### **S.B. 373**

##### **S.B. 540**

**S.B. 541**  
**S.B. 455**  
**C.S.S.B. 376** (Read first time)  
**C.S.S.B. 475** (Read first time)  
**C.S.S.B. 291** (Read first time)

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

**S.B. 114**  
**S.B. 11**  
**S.B. 76**  
**S.B. 295** (Amended)  
**C.S.S.B. 161** (Read first time)  
**C.S.S.B. 310** (Read first time)

Senator Mauzy submitted the following report for the Committee on Education:

**S.B. 227** (Amended)  
**S.B. 356**  
**S.B. 306**  
**S.B. 358** (Amended)  
**S.B. 386**

#### **NOTICE OF CONSIDERATION OF NOMINATIONS**

Senator McKnight gave notice that he would tomorrow submit to the Senate for consideration nominations to agencies, boards and commissions of the state.

#### **SENATE BILL 151 ORDERED NOT PRINTED**

On motion of Senator Schwartz and by unanimous consent, **S.B. 151** was ordered not printed.

#### **SENATE BILL 151 ON SECOND READING**

On motion of Senator Schwartz and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 151**, Making an appropriation to the State Rural Medical Education Board; and declaring an emergency. (Submitted by Governor as an emergency.)

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 151 ON THIRD READING**

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 151** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

#### **SENATE BILL 547 ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 547**, Relating to a supplemental appropriation to the Texas Board of Architectural Examiners. (Submitted by Governor as an emergency.)

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 547 ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 547** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

#### **COMMITTEE APPOINTED**

In accordance with the provisions of **H.C.R. 65**, the President announced the appointment of the following as a Committee to Escort Governor Clements to the Joint Session: Senators Andujar, Braecklein, Harris, Mengden and Price.

#### **CONFERENCE COMMITTEE REPORT ON SENATE BILL 140 ORDERED NOT PRINTED**

On motion of Senator Schwartz and by unanimous consent, the Conference Committee Report on **S.B. 140** was ordered not printed.

#### **CONFERENCE COMMITTEE REPORT SENATE BILL 140**

Senator Schwartz submitted the following Conference Committee Report:

Austin, Texas  
February 19, 1979

Honorable William P. Hobby  
President of the Senate

Honorable Bill Clayton  
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **S.B. 140** have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SCHWARTZ, Chairman  
HARRIS  
McKNIGHT  
PRICE  
SNELSON  
On the part of the Senate

HANNA, Chairman  
CRADDICK  
COLEMAN  
M. GARCIA  
BODE  
On the part of the House

#### **CONFERENCE COMMITTEE REPORT ON S. B. 140**

#### **A BILL TO BE ENTITLED**

#### **AN ACT**

relating to the authority of the Railroad Commission of Texas to promulgate rules necessary to implement state responsibility under federal law or rules; amending Section 81.052, Natural Resources Code; providing an emergency appropriation; and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

Section 1. Section 81.052, Natural Resources Code, is amended as follows:

"Section 81.052. Rules. The commission may adopt all necessary rules for governing and regulating persons and their operations under the jurisdiction of the commission as set forth in Section 81.051, including such rules as the commission may consider necessary and appropriate to implement state responsibility under any federal law or rules governing such persons and their operations."

Section 2. The following sums are hereby appropriated to the Railroad Commission of Texas from Railroad Commission Operating Fund No. 155 for the purpose of developing information, making rulings, and carrying out state responsibilities under the pricing and classification policies mandated by the federal Natural Gas Policy Act of 1978 and Energy Regulatory Administration regulations for the remainder of the year ending August 31, 1979. Such appropriations may be expended only for the purposes for which they are made, and none of the appropriations may be transferred from one item to another.

PROGRAM: Administration

Activity - Decision Making

a. Consumable Supplies and Materials	4,300
b. Postage	420
c. Utilities	28,707
d. Travel	17,000
e. Rent - Machine and Other	3,600
f. Other Operating Expense	13,300
Sub Total	<u>67,327</u>

## Activity - Records Retention

## a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
0055	06	Clerk III	5	25,165
		b. Consumable Supplies and Materials		1,458
		c. Postage		58
		d. Utilities		490
		e. Rent - Machine and Other		6,090
		f. Other Operating Expense		1,167
		g. Capital Outlay		<u>26,066</u>
		Sub Total		60,494

## Activity - Mail Services

## a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
0055	06	Clerk III	2	10,066
		b. Consumable Supplies and Materials		583
		c. Rent - Machine and Other		373
		d. Other Operating Expense		117
		e. Capital Outlay		<u>16,078</u>
		Sub Total		27,217

## PROGRAM: Oil and Gas Regulation

## Activity - Production Allocation

## a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
1503	13	Administrative Tech.	3	24,759
		b. Consumable Supplies and Materials		750
		c. Postage		619
		d. Utilities		964
		e. Capital Outlay		<u>4,914</u>

Sub Total 32,066

Activity - Compliance with Natural Gas Policy Act of 1978

a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
3501	21	Legal Examiner	1	13,972
1052	19	Hearings Examiners	3	36,750
2160	19	Engineers	2	24,500
2360	19	Geologists	1	12,250
2001	12	Draftsman II	1	7,476
2000	08	Draftsman I	2	11,480
1501	08	Administrative Technicians	1	5,740
0135	07	Secretary	4	21,504
0055	06	Clerks	2	10,066
				143,738

b. Consumable Supplies and Materials	5,117
c. Postage	30,450
d. Utilities	5,460
e. Travel	14,000
f. Rent - Building	11,781
g. Rent - Machine and Other	4,150
h. Other Operating Expense	1,400
i. Capital Outlay	29,413

Sub Total 245,509

Activity - Compliance with Economic Regulatory Administration,  
Crude Oil Pricing

a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
3501	21	Legal Examiner	1	13,972
2160	19	Engineers	3	36,750
0055	06	Clerks	3	16,128
				66,850

b. Consumable Supplies and Materials	1,750
c. Postage	2,100
d. Utilities	2,248
e. Travel	1,000
f. Rent - Building	4,308
g. Capital Outlay	11,159

Sub Total 89,415

PROGRAM: Automatic Data Processing Division

Activity - Program Management

## a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
0053	04	Clerk Typist II	1	4,410
		b. Consumable Supplies and Materials		82
		c. Rent - Machine and Other		2,807
		d. Other Operating Expense		480
		e. Capital Outlay		<u>523</u>
		Sub Total		8,302

## Activity - Operations

## a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
0205	08	Key Entry Operator III	2	11,480
		b. Consumable Supplies and Materials		439
		c. Rent - Machine and Other		4,012
		d. Other Operating Expense		<u>300</u>
		Sub Total		16,231

## Activity - Systems Development

## a. Salaries of Classified Positions

<u>Class</u>	<u>Group</u>	<u>Position Title</u>	<u>Positions</u>	
0262	18	Systems Analyst II	1	11,473
0241	16	ADP Programmer II	2	19,474
				<u>30,947</u>
		b. Consumable Supplies and Materials		500
		c. Travel		380
		d. Other Operating Expense		693
		e. Capital Outlay		<u>2,661</u>
		Sub Total		35,181

GRAND TOTAL, Emergency Appropriation Request \$581,682

Section 3. The importance of this legislation and the crowded condition of the calendars in both houses of the legislature create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was filed with the Secretary of the Senate.



**MESSAGE FROM THE HOUSE**

House Chamber  
February 21, 1979

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT  
THE HOUSE HAS PASSED THE FOLLOWING:

HB 346, A bill to be entitled An Act relating to the jurisdiction of the  
County Court at Law of Comal County.

HB 761, A bill to be entitled An Act relating to the transfer of jurors  
impaneled by certain courts for use in the justice courts.

HB 1050, A bill to be entitled An Act relating to the sale of eggs.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**SENATE BILL 125 ON SECOND READING**

Senator Meier moved that Senate Rules 12 and 89 and Section 5 of Article  
III of the State Constitution be suspended and that **S.B. 125** be taken up for  
consideration at this time:

**S.B. 125**, Relating to the operation of the Texas Turnpike Authority.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Farabee,  
Harris, Howard, Jones of Taylor, Kothmann, Longoria, McKnight, Meier,  
Mengden, Moore, Ogg, Parker, Price, Santiesteban, Schwartz, Short, Snelson,  
Traeger, Vale, Williams.

Nays: Doggett, Jones of Harris, Mauzy, Patman.

Absent-excused: Truan.

The bill was read second time and was passed to engrossment.

**RECORD OF VOTES**

Senators Doggett, Mauzy and Patman asked to be recorded as voting "Nay"  
on the passage of the bill to engrossment.

**SENATE BILL 125 ON THIRD READING**

Senator Meier moved that the Constitutional Rule and Senate Rule 68  
requiring bills to be read on three several days be suspended and that **S.B. 125**  
be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Nays: Doggett, Mauzy, Patman.

Absent-excused: Truan.

The bill was read third time and was passed.

### **RECORD OF VOTES**

Senators Doggett, Mauzy and Patman asked to be recorded as voting "Nay" on the final passage of the bill.

### **MOTION TO ADJOURN**

On motion of Senator Moore and by unanimous consent, the Senate at 10:57 o'clock a.m. agreed to stand adjourned at the conclusion of the Joint Session until 11:00 o'clock a.m. tomorrow.

### **JOINT SESSION**

#### **(To hear address of Governor William P. Clements, Jr.)**

The President announced that the hour for the Joint Session of the two Houses to hear the address of Governor William P. Clements, Jr., pursuant to the provisions of **H.C.R. 65**, had arrived.

Accordingly, the Senators present, accompanied by the Secretary of the Senate and the Sergeant-at-Arms, repaired to the Hall of the House of Representatives at 11:00 o'clock a.m.

The President, by invitation of the Speaker of the House, occupied a seat on the Speaker's Rostrum.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Bill Clayton, Speaker of the House, announced the purpose of the Joint Session and announced a quorum of the House present.

The Honorable William P. Clements, Jr., Governor of the State of Texas, accompanied by members of his party, was announced by the Doorkeeper of the House.

The Governor's party was escorted to the Speaker's Rostrum by Senators Andujar, Braecklein, Harris, Mengden and Price on the part of the Senate and Representatives Close, Agnich, McFarland, Geistweidt and Emmett on the part of the House.

Speaker Clayton introduced the following distinguished guests and members of the Governor's party: George Strake Jr., Secretary of State, and Tom Rhodes, Acting Budget Director of the Governor's Office.